WRITTEN QUESTION E-0572/04
by Graham Watson (ELDR) to the Commission
(26 February 2004)

Subject: Czech psychiatric hospitals

Could the Commission please illustrate what undertakings have been given by the Czech Republic to improve their mental healthcare provisions, such as the Bohnice Psychiatric Hospital in Prague, prior to accession to the EU?

Answer given by Mr Verheugen on behalf of the Commission
(13 April 2004)

Provisions on patients’ rights in the Czech Republic are currently included in different laws and regulations, mainly in Act No 20/1966 on Care of People’s Health, which has been amended several times. The Act includes e.g. provisions on treatment without consent, the right of complaint/appeal and compensation for damages.

The Commission has been informed that a proposal for a new Act on Health Care Services is being prepared, which includes a specific chapter on patients’ rights. Furthermore, an amendment to the Act on Social Security is being drafted, banning the use of beds enclosed with iron cages or netting in institutions for mentally disabled and psychiatric hospitals. A Methodical Instruction is also being prepared to this effect, and a pilot project is under preparation which should demonstrate to staff how to replace the use of such restrictive means by modern practices.

The Czech Republic has committed itself to respecting and promoting human rights and fundamental freedoms and has set up institutions for protecting and monitoring the implementation of these rights. This creates a firm basis for assessing and developing the status and rights of patients. Increased public awareness and involvement of non-governmental organisations (NGOs) should also help to further address patients’ rights issues. The implementation of patients’ rights will also depend on the general situation in the health care sector in terms of resources, training and supervision of care providers and responsible authorities.

WRITTEN QUESTION E-0577/04
by José Ribeiro e Castro (UEN) to the Commission
(26 February 2004)

Subject: Cuba — Sakharov Initiative

In his recent reply to my question P-3132/03 (1) of 17 October 2003 on the Commission’s meeting of the ‘Sakharov Initiative’, Commissioner Nielson said that the Commission firmly supported efforts to democratise Cuba, and the President and the relevant members of the Commission would be extremely pleased to meet Oswaldo Payá, should be decide to come to Brussels.

The President of the Commission, the Secretary-General of the Council and the High Commissioner for CFSP (by letter of 9 January 2004) and the then Italian Presidency-in-Office all replied in an identical manner.

However, Oswaldo Payá has already decided to move to Brussels. The problem is that the Cuban authorities will not let him leave, are preventing him from travelling and are forcing him to remain in Havana against his will.
In fact, over and above the vain invitation from the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy for him to attend its meeting of 1 December 2003 — to which reference has already been made in my former question and the reply thereto — at the end of January Fidel Castro's regime again prevented Oswaldo Payá from travelling to Brussels to take part in the ceremony of handing on the Sakharov Prize 2003 to his successor: Kofi Annan and the United Nations, in memory of Sergio Vieira de Mello.

As a result, the European Parliament is continuing to extend an open invitation to Oswaldo Payá, so that he can come as soon as he is allowed to leave.

I know about the steps taken and the efforts made via the Commission delegation in Havana but we do need to ask ourselves what else we can and should do in view of the fact that Payá is being kept in Cuba against his will.

And how much energy is it prepared to expend on ensuring that Oswaldo Payá's wishes are respected? What specific measures has it taken, or does it plan to take, in coordination with the Council and the Member States?

Does the Commission believe it could expressly associate itself with the European Parliament's open invitation to Oswaldo Payá to travel to the EU and visit the institutions as soon as he is allowed to do so?

(5 April 2004)

The Commission, through its Delegation in Havana, is in regular contact with Mr Payá. Our 'Chargé d'affaires' has frequent meetings with him and the issue of how to facilitate Mr Payá's visit to the Parliament and other EU institutions is a recurrent topic in their discussions.

It has been agreed with Mr Payá that he would approach the Havana Delegation once he had in his hands the open invitation of the Parliament. If need be and so wished by Mr Payá, the Commission, through its representation in Havana, would be ready to accompany the necessary administrative steps before the Cuban authorities in the context of his visa request. It is however important to recall in this connection that the Commission's Delegation is at present 'diplomatically frozen' and therefore unable to conduct political discussions with the authorities on this matter.

All steps the Commission takes in Cuba in the field of human rights, are closely coordinated and previously agreed upon with its Member States, both in Brussels and in Havana.

The Commission supports the initiative of the Parliament and would welcome it if the Cuban authorities would allow Mr Payá to visit EU institutions, including, of course, the competent services of the Commission. Both Members of the Commission responsible for Development, Humanitarian Aid and External Relations have repeatedly confirmed their interest in receiving Mr Payá on such an occasion.

(2004/C 88 E/0525) WRITTEN QUESTION E-0584/04 by Nirj Deva (PPE-DE) to the Commission

(26 February 2004)

Subject: EU aid money to Zimbabwe

Following observations noted by the Court of Auditors in its Annual Report for the financial year 2002, more precisely in the part entitled Report on the activities of the 6th, 7th and 8th European Development Funds, Chapter V — 'A special case: The decision taken by the General Affairs Council and the monetary